

Chapter 21. Signs

SECTION 21.00 DESCRIPTION

This Chapter is designed to regulate and limit the size, location, and manner of construction or reconstruction of signs to protect the public health, safety, aesthetics, and general welfare of Eureka Charter Township residents. This Chapter will also protect all zoning districts from chaos and clutter, prevent injurious impacts from obstructed vision, eliminate distractions hazardous to motorists, protect uses from excessive signage, and provide the public with the ability to identify premises and establishments. Additionally, the provisions of this Chapter are designed to encourage the preservation of the Township's rural character through site design.

SECTION 21.01 INTENT AND PURPOSE

This Chapter is intended to regulate the type, number, physical dimensions, erection, placement, and maintenance of signs in the Township. Its purpose and intent are to:

- A. Protect, promote, and further the public peace, health, and safety of residents, property owners, and visitors;
- B. Prevent, eliminate, or minimize traffic hazards and pedestrian accidents caused by signage that obstructs vision or views, distracts or confuses motorists, or is improperly secured or constructed;
- C. Protect the public's ability to identify establishments and premises;
- D. Protect the natural beauty and distinctive character of the Township;
- E. Protect commercial, business, office and industrial districts and areas from visual chaos and clutter;
- F. Provide an environment that fosters the reasonable growth and development of business and commerce;
- G. Protect and enhance property values; and
- H. Balance the individual rights of property owners to communicate their message with the public's right to be free of unreasonable distractions and aesthetic intrusions.

SECTION 21.02 SCOPE

- A. It shall be unlawful for any person to erect, place, or maintain a sign in Eureka Charter Township except in accordance with the provisions of this Chapter.
- B. Permit Required. Unless otherwise provided by this Ordinance, all construction or reconstruction of signs shall require a sign permit and payment of fees as determined by the Township Board. No permit is required for the maintenance of a sign or for a change of copy on painted, printed, or changeable copy signs.
- C. Plan Required. When a site plan is required in accordance with Chapter 4 of this Ordinance, proposed signage shall be illustrated on the site plan showing the sign area, sign height, sign illumination, sign

location, setbacks from property lines, and other applicable information to enable the Township to determine compliance with the requirements of this Chapter.

- D. When a site plan is not required, a scaled drawing clearly depicting this information shall accompany the sign permit application. The Zoning Administrator may require that additional information be illustrated on a plan or drawing to determine compliance with this Ordinance.

SECTION 21.03 DEFINITIONS

The following words shall have the meanings set forth in this Section:

- A. Abandoned Sign: A sign for which no legal owner can be found; or a sign that is dilapidated or fallen into disrepair, or otherwise exhibits characteristics of abandonment in the opinion of the zoning administrator.
- B. Banner Sign: A temporary sign constructed of canvas, paper, cloth, plastic, or other similar lightweight, non-rigid material attached to any structure, staff, pole, rope, wire, or framing which is anchored on two or more edges or at all four corners which is not permanently affixed to any wall or sign structure and is intended for a limited period of display.

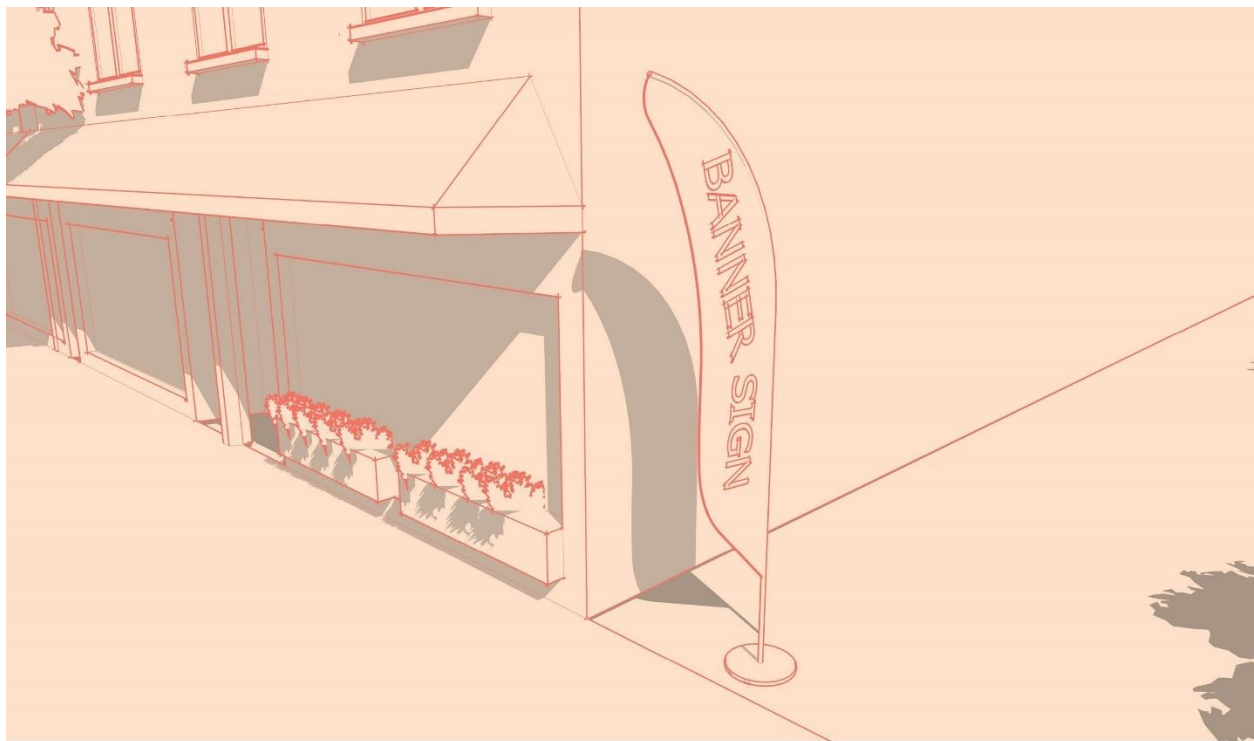


FIGURE 21.1 BANNER SIGN

- C. Billboard: A large panel sign directing attention to a use, activity, or product not located, sold, manufactured, or processed on the premises on which the sign is located

- D. Directional Sign: A sign designed to provide that gives directions and, instructions, identifying logos without text or facility information related to pedestrian and vehicular traffic into and out of, or within a site the use of the property on which the sign is located, such as parking, exit and entrance signs, and that sets forth no other commercial message.
- E. Freestanding Sign: A sign supported by structures or supports that are placed on, or anchored in, the ground, and that is independent and detached from any building or other structure.
- F. Pole Sign: A freestanding sign supported by one or more uprights, poles, or braces, or other support placed in or upon the ground.

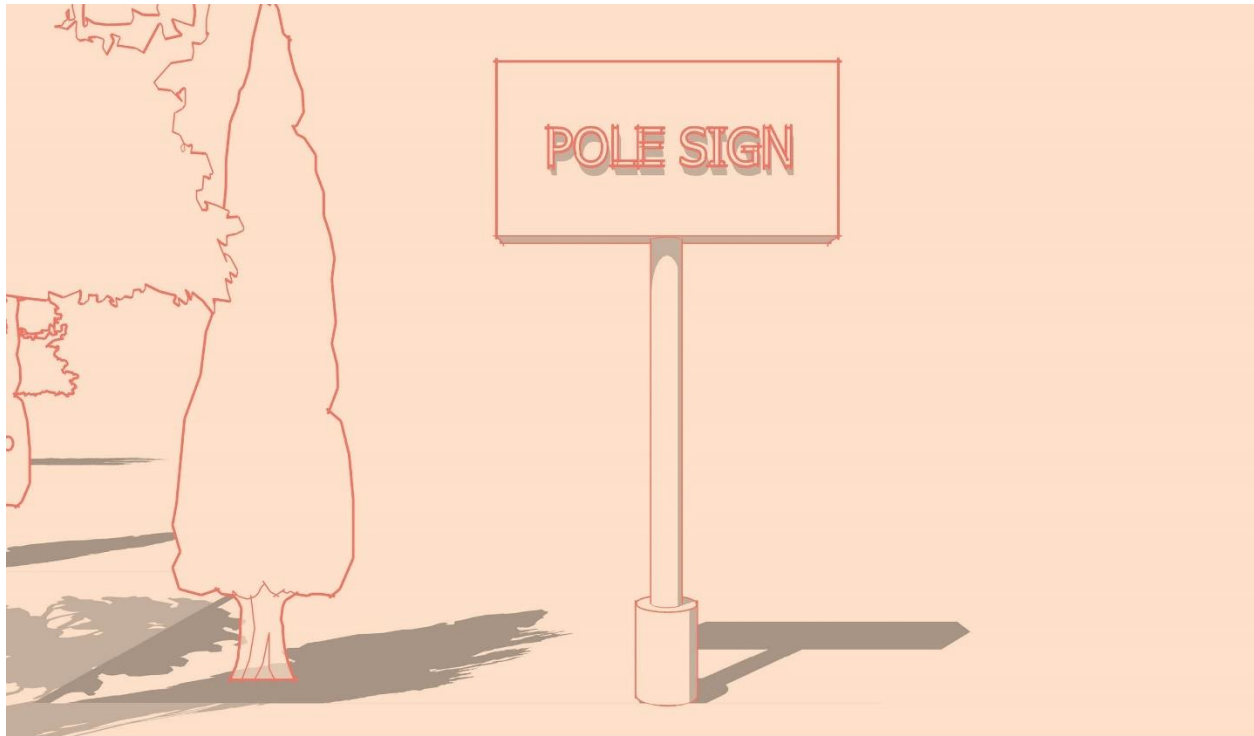


 FIGURE 21.2 POLE SIGN

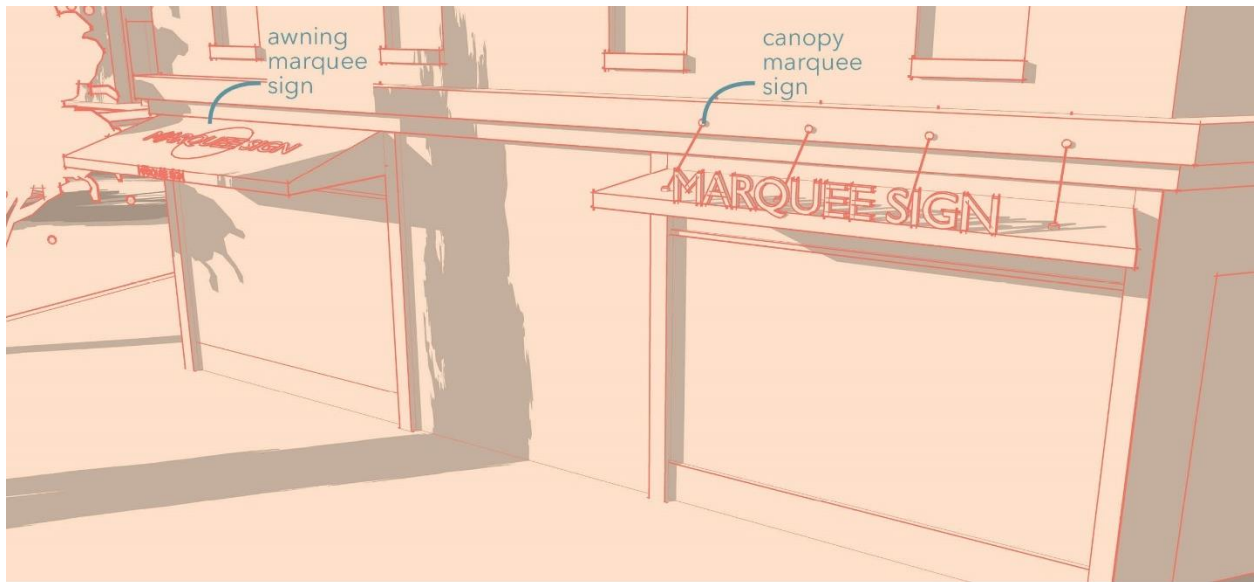
- G. Government Sign: A temporary or permanent sign owned and/or placed by Eureka Charter Township, another township or city, Montcalm County, or the state or federal government.

- H. Ground Sign: A freestanding sign that resting directly on the ground at its base, is independent of any other structure, and is not mounted on a pole(s).



FIGURE 21.3 GROUND SIGN

- I. Illuminated Sign: A sign with electrical equipment installed for illumination that provides artificial light directly on or throughout its sign face from a source of light within such sign, or externally by a light source aimed at the sign's surface.
- J. Marquee Sign: A sign that is either attached to, affixed to, or painted on a marquee, canopy, or awning projecting from and supported by the building.



K.  FIGURE 21.4 MARQUEE SIGN

- L. Portable Sign: A sign not permanently anchored or secured to either a building, or the ground, or other structure, such as, but not limited to, sandwich board signs (“A” frame signs), “T” shaped or inverted “T” shaped sign structures, and signs affixed to a vehicle or movable trailer which are not incidental to the vehicle’s primary purposes.



 FIGURE 21.5 PORTABLE SIGN

M. Projecting Sign: A building-mounted sign generally perpendicular to the building wall and extending more than 12 inches from such building that projects from and is supported by a wall of a building.

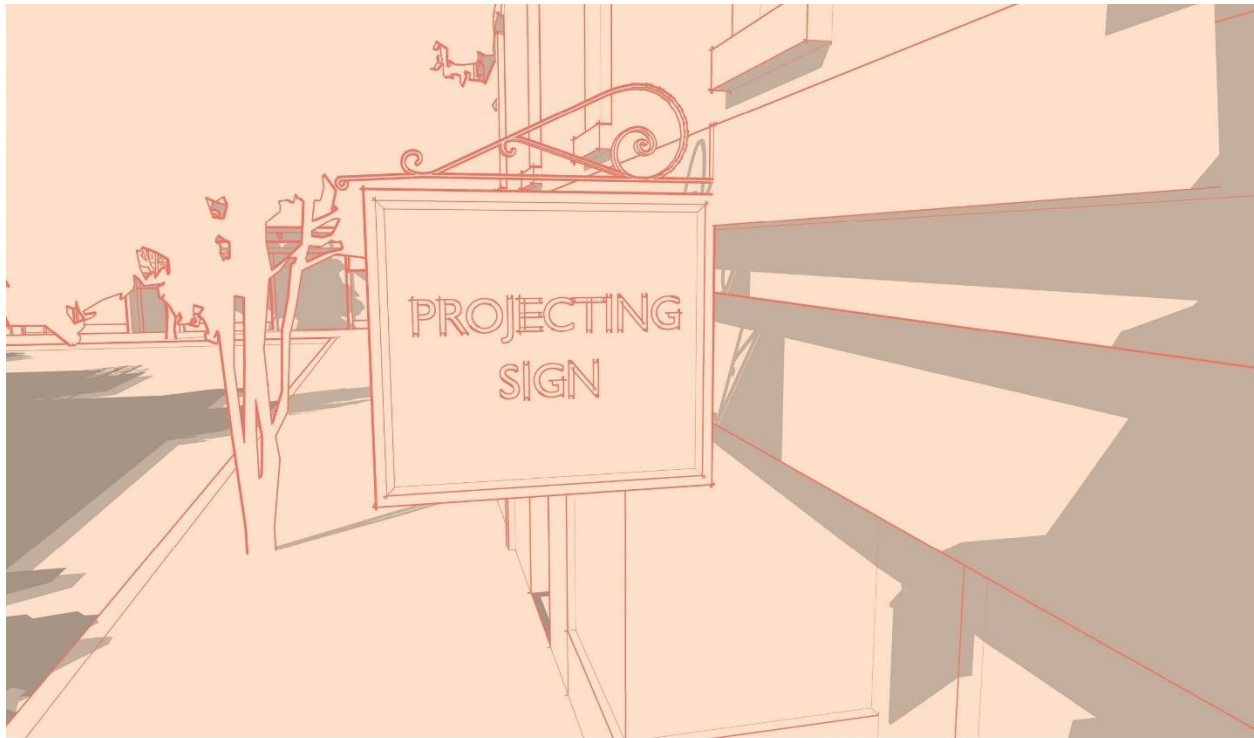


FIGURE 21.6 PROJECTING SIGN

- N. Manual Changeable Copy Sign A sign or portion thereof on which the copy or symbols are changed manually through placement of letters or symbols on a panel mounted in or on a track system.
- O. Electronic Changeable Copy Sign: A sign with a fixed or changing display composed of a series of lights that may be changed through electronic means.

- P. Roof Sign: Any sign erected, constructed, and maintained wholly upon or over the roof of any building with its principal support on the roof structure.

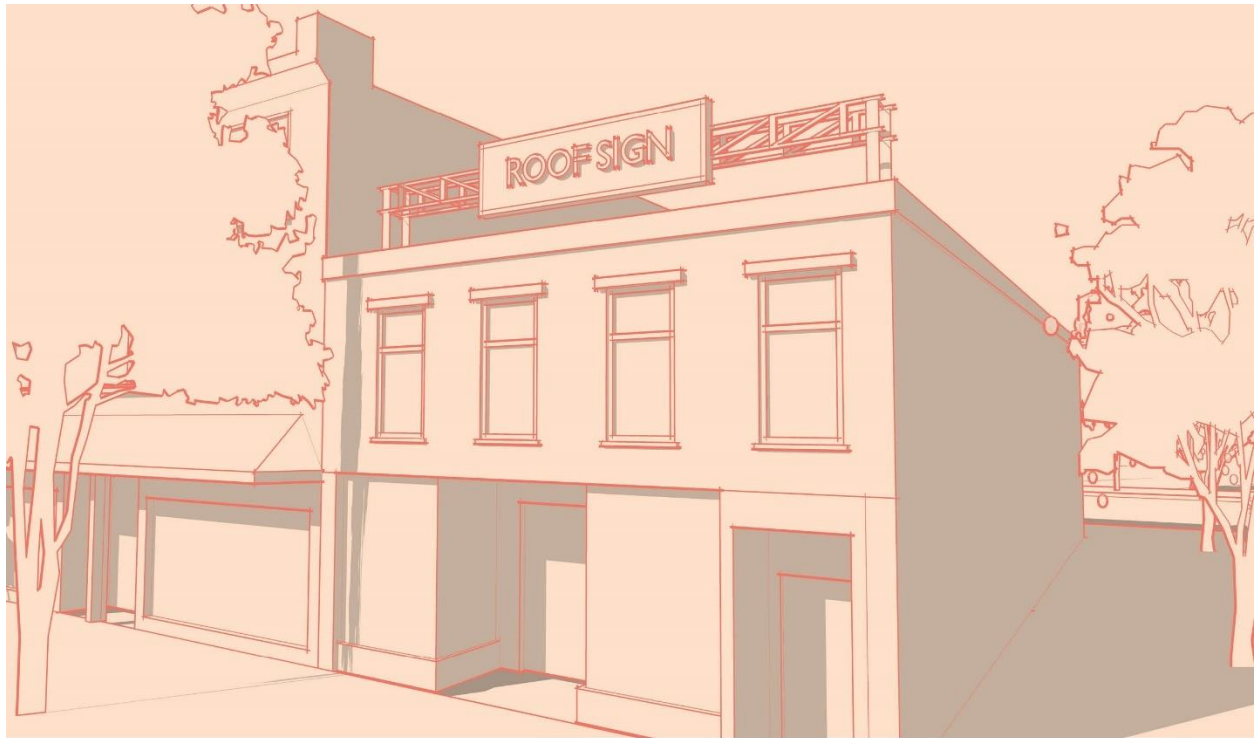


FIGURE 21.7 ROOF SIGN

- Q. Sign: Any object, device, structure, fixture, billboard or placard, or part thereof, situated indoors or outdoors, which uses graphics, symbols, fixtures, colors, illumination, projected images, and/or written copy designed specifically for the purpose of advertising or identifying an establishment, product, service, or activity.
- R. Temporary Sign: A sign that is not permanently affixed to the ground and is of design and construction that is not intended to be of a permanent nature.
- S. Wall Sign: A sign that is attached directly to or painted upon a building wall in a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and that does not extend more than 18 inches from the building wall with the exposed face of the sign in a plane parallel to the building wall.



FIGURE 21.8 WALL SIGNS

T. Window Sign: A sign attached to, in close proximity to, a window surface so as to be clearly and comprehensively visible from the outside.

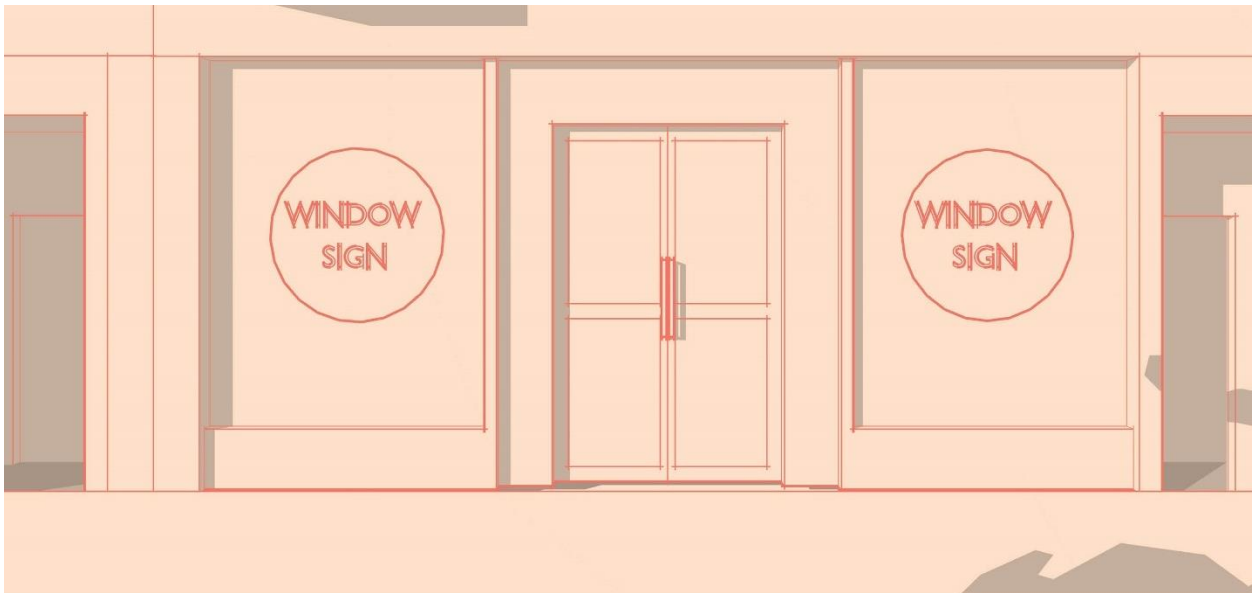


FIGURE 21.9 WINDOW SIGN

SECTION 21.04 GENERAL SIGN PROVISIONS

A. Sign Construction and Maintenance.

1. All signs shall be maintained in a safe, well-maintained, and reasonable condition at all times with proper bracing, anchorage, and foundation, and be subject to inspection by the Zoning Administrator.
2. An abandoned sign shall be removed by the owner, or by the Township at the expense of such owner, within 30 days upon written notice by Eureka Charter Township.
3. Signs shall be maintained free of peeling paint or paper, fading, staining, rust, or other conditions which impair legibility or cause such sign to become unsightly through disrepair or action of the elements.
4. All signs shall be constructed and maintained in accordance with the building code in effect in Eureka Charter Township.
5. Illumination. Unless further regulated elsewhere in the Ordinance, sign illumination shall be opaque background with internally lit lettering, facelit channel lettering, backlit lettering, or externally lit. When illumination of signs is permitted, illumination shall comply with the following requirements:
 - a. Illumination shall not be flashing, blinking, intermittent, or an on-and-off type of lighting.
 - b. Illumination shall be arranged so that light is deflected away from adjacent properties so that no direct sources of light shall be visible to any motorist or pedestrian located in a public right-of-way or street easement or from any adjacent property.
 - c. For externally illuminated signs, any external lighting of signs shall be downward facing, shielded, or otherwise directed to illuminate only the sign face.
 - d. For backlit illuminated signs, individual bulbs and light sources shall not be visible.
6. No signage shall be permitted in any Clear Vision area, as defined in Section 3.04.
7. No vehicle, trailer, or other item which in the opinion of the Zoning Administrator has the intended function of acting as a sign shall be parked in any area abutting the street unless no other parking area is available.

B. Changeable Copy Signs. All ground, pole, and wall signs may include manual or electronic changeable copy in accordance with the following requirements:

1. No sign shall contain or appear to contain graphics or copy that is obscene, flashing, or blinking, or resembling police or emergency lights.
2. Message panels on a changeable copy sign shall be integrated into the sign such that it is included in the number, size, and location requirements of the District in which it is located. In no instance shall such message panels exceed 80 percent of the total sign area.
3. The following requirements shall apply to electronic changeable copy signs:

- a. There shall be a minimum of five seconds between changes in messages, text, graphics, or other sign content.
 - b. The sign's brightness and intensity shall be adjusted during daylight and nighttime hours. The overall brightness and intensity shall only be enough to make the sign legible and shall not create a nuisance or a traffic hazard.
- C. Wall Signs. No wall sign shall extend beyond the edge of the wall to which it is affixed and no wall sign shall extend beyond the roof line of a building.
- D. Sign Area.
 1. The area of a sign shall be measured within a single rectilinear perimeter composed of not more than eight straight lines, which enclose the extreme limits of writing, representation, emblem, or any figure of similar character, together with any frame or other material forming an integral part of the display or used to differentiate such sign from the background against which it is placed, excluding the necessary supports, braces, and/or uprights on which such sign is placed.
 2. Where the sign has two or more faces placed back-to-back and are at no point more than two feet apart from one another, the area of the sign shall be computed by the measurement of one of the faces if the two faces are of equal area. When the faces are not equal in size, the area of the larger face shall be used.

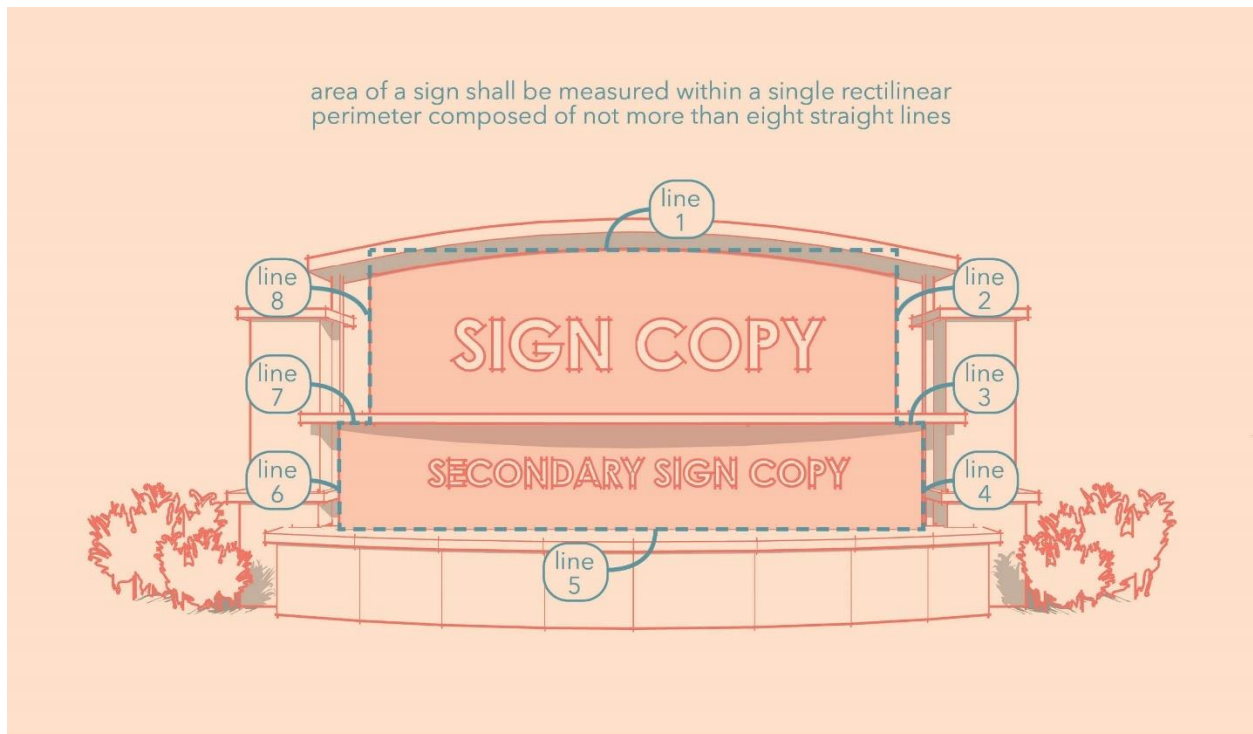


FIGURE 21.10 SIGN AREA

- E. Sign Height.
 1. The height of the sign shall be measured as the vertical distance from the highest point of the sign

to the grade of the adjacent street or the mean grade of the ground immediately beneath the sign, whichever is lower.

2. Any pole sign, marquee sign, or projecting sign, including any awning to which a sign is affixed or displayed, not resting directly on the ground shall maintain a minimum clear space of eight feet from the bottom of the sign to the ground.
3. For buildings with multiple tenants, sign areas for wall signs, projecting signs, and awning signs shall be determined by taking that portion of the front wall of the building applicable to each tenant and computing sign limits for that portion of the total wall.

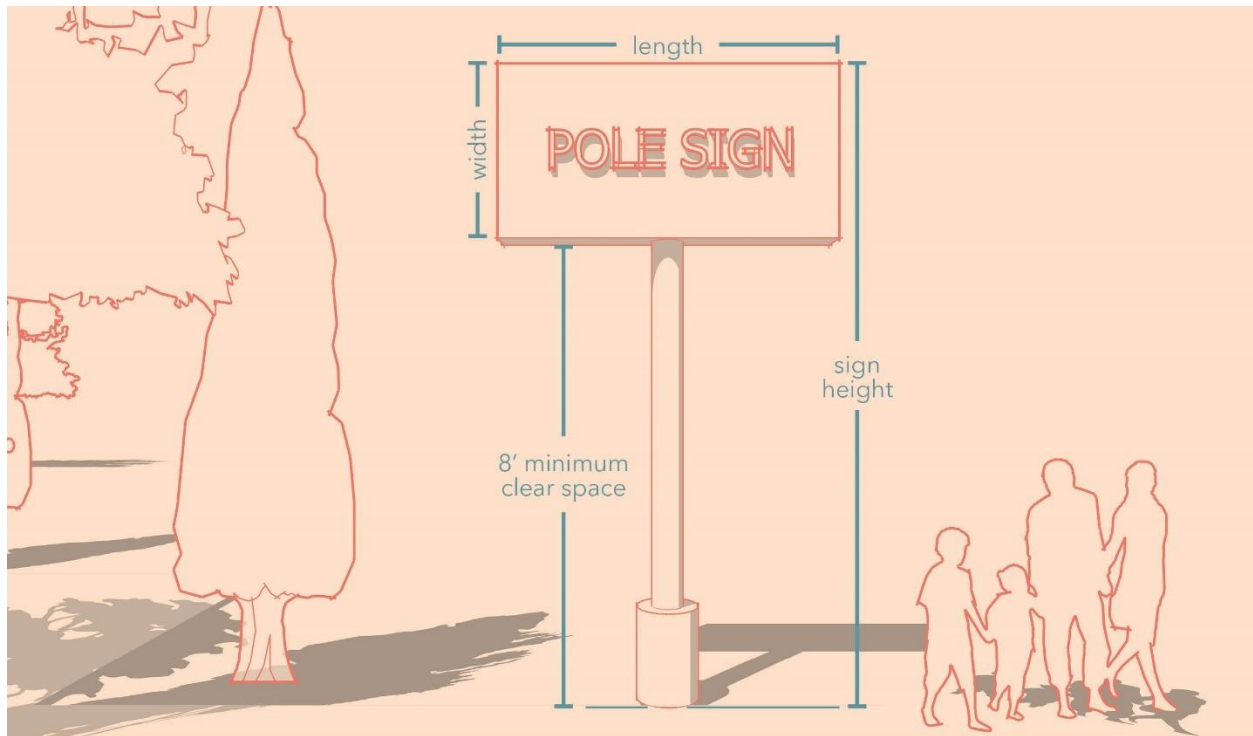


FIGURE 21.11 FREESTANDING SIGN MEASUREMENTS

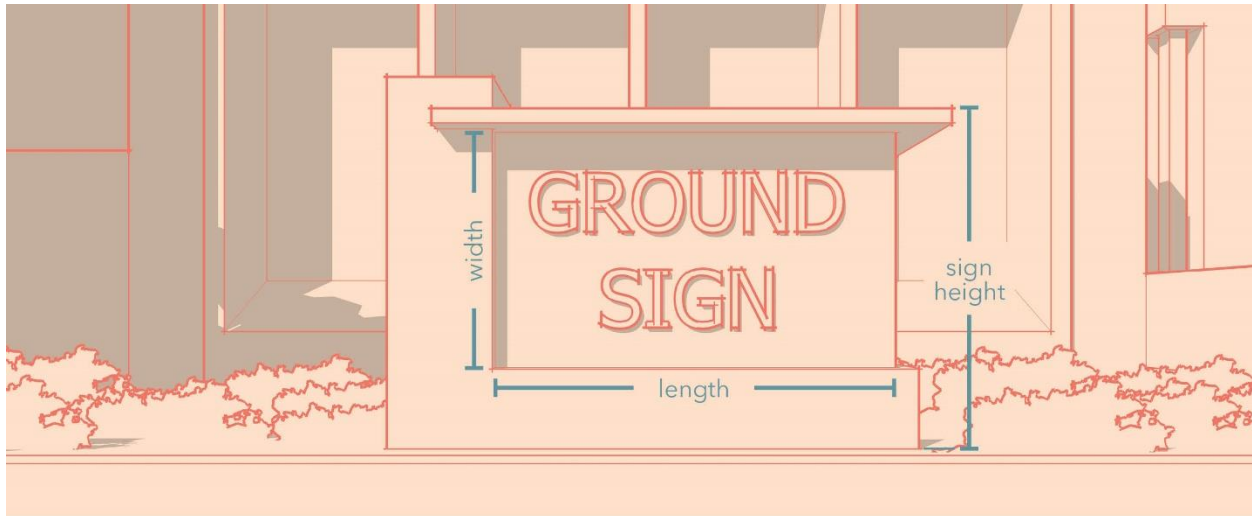


FIGURE 21.12 GROUND SIGN MEASUREMENTS

SECTION 21.05 EXEMPTED SIGNS

Except for the regulations of Section 21.03, the following signs shall be exempt from the provisions of this Chapter, including permitting requirements:

- A. Any public notice, traffic control, or warning required by a valid and applicable federal, state, or local law, regulation, ordinance, or traffic control order.
- B. Government sign.
- C. Window sign.
- D. Incidental sign not exceeding six square feet in area.
- E. Holiday lights and decorations with no commercial message.
- F. Not more than three flags or insignia, not exceeding 30 feet in height and 24 square feet in area of any nation, state, township, community organization, or educational institution. Any flag or insignia not meeting these requirements shall be considered a sign subject to the requirements of this Ordinance and not allowed as an exemption under this Section.
- G. One temporary sign per lot or parcel is permitted per street frontage in the following circumstances:
 1. Properties for Sale. If a property or building is for sale, lease, or rent, one additional temporary freestanding sign may be located on the lot that may remain for the duration of the time the property is being offered for sale, lease, or rent. Such sign shall be removed within 10 days after the property is sold, leased, or rented. Such signs shall not exceed an area of 12 square feet.
 2. Election Signage. Additional temporary signs may be placed on a property during a time period of 60 days prior to an election date to 10 days after the election date.

SECTION 21.06 SIGNS PROHIBITED

The following signs shall not be allowed in any Zoning District:

- A. Signs that are illegal under state laws or regulations and applicable local ordinances or regulations, and that are not consistent with the standards in this Ordinance.
- B. Abandoned signs
- C. Signs that do not relate to existing business or products for sale or available on the site, except for billboards.
- D. Signs that are not clean and in good repair, and signs that are out of compliance with applicable building and electrical codes.
- E. Signs not securely affixed to a supporting structure.
- F. Signs that are not official traffic signs that appear to or attempt to regulate, warn, or direct the movement of traffic; which interfere with or resemble any official traffic sign, signal, or device; or which may obstruct a motorist's vision.
- G. Searchlights, animated signs, flashing signs, or signs that scroll or flash text or graphics.
- H. Signs, or portions thereof, which move mechanically or contain physical attachments that are moving or animated.
- I. Roof signs.
- J. Any sign attached to a light pole or utility pole, unless specifically designated and approved for such use.
- K. Signs located in, projecting into, or overhanging within a public right-of-way or dedicated public easement, except:
 - 1. Official traffic signs posted by a governmental agency;
 - 2. Informational signs of a public utility regarding its poles, lines, pipes, or facilities;
 - 3. Emergency warning signs erected by a governmental agency, a public utility company, or a contractor doing authorized or permitted work within the right-of-way; and
 - 4. Any sign installed by the Township or Road Commission for Montcalm County.
 - 5. Projecting signs located in compliance with this Chapter.

SECTION 21.07 SIGNS PERMITTED IN ALL DISTRICTS

The following signs are allowed within all Zoning Districts, provided that a sign permit is obtained from the Zoning Administrator:

- A. Temporary Signs. In addition to temporary signs exempted in 21.04,G, the following temporary signs are permitted when located out of the public road right of way. Temporary signs shall not be illuminated:
 - 1. Construction Signage. The following standards shall apply to temporary signs located on

residential or commercial construction sites:

- a. A lot or parcel shall be limited to one freestanding sign per street frontage.
 - b. Signs shall not exceed 12 square feet in area in residential districts and 32 square feet in area in non-residential districts.
 - c. Signs shall not exceed 6 feet in height.
 - d. Signs shall not be erected until a building permit has been issued for the construction project and construction activity has begun.
 - e. Signs shall be confined to the site of construction and removed immediately upon the issuance of an Occupancy Permit for the building or structure.
2. Special Event Signage. The following standards shall apply to temporary signs located on a lot or parcel with a special event:
- a. A lot or parcel shall be limited to one temporary sign.
 - b. Temporary signs shall be located on the lot on which the special event is held.
 - c. The display of such signs shall be limited to 21 days immediately preceding the special event, such signs shall be removed within 48 hours of the conclusion of the special event.
 - d. Signs shall not exceed 12 square feet in area in residential districts and 32 square feet in area in non-residential districts.
 - e. The maximum height of such signs shall be 6 feet.
 - f. The location of such signs shall be approved by the Zoning Administrator. The Zoning Administrator shall determine that the signs will not create a hazard, block the vision of pedestrians and vehicles, or create any other unsafe condition.
 - g. Sign permits are not required for K-12 educational institutions, non-profit organizations, and religious institutions provided that the all other standards of this subsection are met.
3. On any other lot or parcel, the following standards shall apply:
- a. A lot or parcel shall be limited to one temporary sign per street frontage.
 - b. The Zoning Administrator may issue a sign permit to allow such temporary sign up for to one year.
 - c. The following dimensional standards of Table 20.2 shall be met:

Table 21.1 Temporary Sign Standards			
Location	Maximum Area	Maximum Height	Minimum Setbacks

In residential districts or for residential uses	8 square feet	6 feet	Front Yard: 10 feet
			Side Yard: 10 feet
			Rear Yard: 10 feet
			From Driveway: 15 feet
In non-residential districts or for non- residential uses	32 square feet	6 feet	Front Yard: 10 feet
			Side Yard: 15 feet
			Rear Yard: 15 feet
			From Driveway: 15 feet

B. Directional Signs. Directional signs shall be subject to the following requirements:

1. A directional sign may contain a logo of the establishment to which it is associated, but shall not contain any commercial messaging.
2. A single directional sign shall not exceed six square feet in area or four feet in height.
3. Directional signs shall not be illuminated.

SECTION 21.08 SIGNS PERMITTED BY ZONING DISTRICT

The following signs are permitted within the Zoning Districts indicated:

Section 21.08.01 Signs Permitted in AG, RR, SR, UR, and MHR Districts

- A. For all home occupations, the signs listed in Table 21.2 below are permitted subject to the following requirements:

Table 21.2 Home Occupation Signs Permitted in AG, RR, SR, UR, and MHR					
Type	Maximum Number	Maximum Area	Maximum Height	Illumination Permitted	Minimum Setbacks
Wall	1 per lot	8 sq ft in AG 6 sq ft elsewhere	N/A	AG only	N/A

- B. For all nonresidential uses, the signs listed in Table 21.3 below are permitted subject to the following requirements:

Table 21.3 Non-Residential Signs Permitted in AG, RR, SR, UR, and MHR					
Type	Maximum Number	Maximum Area	Maximum Height	Illumination Permitted	Minimum Setbacks
Wall	1 per wall facing a street or parking lot	5% of affixed wall or 50 sq ft, whichever is less	N/A	No	N/A
Ground	1 per street frontage	32 sq ft	6 feet	No	10 feet from any lot line 15 feet from any driveway

Section 21.08.02 Signs Permitted in GC RC, OSC-1, OSC-2, and IND Districts

- A. For all permitted and special land uses, the following signs are permitted subject to the following requirements:

Table 21.4 Signs Permitted in GC, RC, OSC-1, OSC-2, and IND					
Type	Maximum Number	Maximum Area	Maximum Height	Illumination Permitted	Minimum Setbacks
Wall OR	1 per street frontage	5% of wall face, or 50 sq ft, whichever is less	N/A	Yes	N/A
Marquee OR	1 per street frontage	30% of marquee area	N/A	Yes	N/A
Projecting AND	1 per street frontage	20 sq ft	N/A	Yes	N/A
Ground OR	1 per street frontage	48 sq ft	6 feet	Yes	10 feet from any lot line 15 feet from any driveway
Pole/Pylon AND	1 per street frontage	50 sq ft	30 feet	Yes	10 feet from any lot line 15 feet from any driveway
Portable	1 per lot	32 sq ft	6 feet	Yes	10 feet from any lot line 15 feet from any driveway

B. Multi-Tenant Establishments.

1. Wall, Marquee, or Projecting Signs. Each individual establishment in a multi-tenant commercial building or development is permitted a separate wall, marquee, or projecting sign. The wall or

marquee area shall be calculated based on that part of the wall or marquee occupied by the entity requesting the sign, and shall not exceed the maximum area outlined in Table 21.4 above.

2. Ground and Pole/Pylon Signs. Each individual establishment in a multi-tenant commercial building or development is not permitted a separate ground or pole/pylon sign; one (1) collective ground or pole/pylon sign may be used subject to the standards above, provided that a collective ground or pole/pylon sign shall not exceed an area of 72 square feet.
3. Portable Signs. Only one (1) portable sign shall be permitted per frontage for multi-tenant establishments, subject to the requirements outlined in Table 21.4 above.

SECTION 21.08 BILLBOARDS

A. Permit Required. No person, firm, or corporation shall erect a billboard within Eureka Charter Township without first obtaining a zoning permit and a permit pursuant to the Highway Advertising Act (Act 106 of 1972, as amended). Said permit shall be issued for a period not to exceed one year and shall be renewed with the Township at the same time as required by the Highway Advertising Act (Act 106 of 1972, as amended) by obtaining required Zoning and Building permits and receiving inspections confirming compliance with this Ordinance, as amended, and with the Building Code in effect at the time of the application for said renewed permits.

B. Locations Permitted.

1. Billboards are permitted only in the GC, RC, OS-1, and OS-2 Zoning Districts.
2. Billboards are permitted only on a lot that:
 - a. Does not contain any structure or building on the site; and
 - b. Does not contain any use on which outdoor activities are conducted, other than existing non-conforming agricultural uses.
 - c. Has frontage on M-57 and/or M-91.
 - d. Not more than three (3) billboards are allowed in total in Eureka Charter Township.

C. Spacing.

1. No more than three billboards may be located per linear mile of road, regardless of whether such billboards may be located on different sides of the road. The linear mile measurement shall not be limited to the boundaries of Eureka Charter Township where the particular road extends beyond such jurisdictional boundaries.
2. No billboard shall be located within 1,000 feet of another billboard.
3. No billboard shall be located within 500 feet of a Residential Zoning District or residential use.
4. No billboard shall be located closer than 75 feet from a front lot line, 25 feet from a side lot line,

and 25 feet from a rear lot line.

5. Billboard structures having more than one billboard face shall be considered as two billboards and shall be prohibited in accordance with the minimum spacing requirements set forth herein. However, the following billboard arrangements are considered one billboard.

- a. Double-faced billboard structures having only one face visible to traffic proceeding from any direction on a road;
- b. Billboard structures having tandem billboard faces with two parallel billboard faces side by side and facing the same direction; or
- c. Stacked billboard faces having one face directly above the other with both billboards facing in the same direction.

D. Illumination. No billboard shall be illuminated or create the illusion of being illuminated.

E. Movement. No billboard shall contain motion or create the illusion of motion or reflection.

F. Billboard Size.

1. The service display area of any side of a billboard may not exceed 300 square feet. In the case of a billboard structure with tandem or stacked billboard faces, the combined surface display area of both faces shall not exceed 300 square feet.
2. The maximum height to the top of the billboard shall not exceed 30 feet above the grade of the ground on which the billboard sits or covers, or of the grade of the abutting road, whichever is lower.

G. Construction and Maintenance.

1. No billboard shall be on top of, cantilevered, or otherwise suspended above the roof of a building or structure.
2. A billboard must be constructed in such a manner that it will withstand all wind and vibration forces that can normally be expected to occur in the region and vicinity, pursuant to applicable building codes.
3. A billboard must be maintained so as to assure proper alignment of structure, continued structural soundness, and continued readability of message.

SECTION 21.09 NON-CONFORMING SIGNS

A. Signs lawfully erected prior to the adoption of this Ordinance or applicable amendment thereto which do not meet the standards of this Chapter may be continued, except as hereinafter provided. No non-conforming signs shall:

1. Be structurally altered so as to change the shape, size, type, or design of the sign; or
2. Be reestablished or continued after being abandoned for 90 days or longer.
3. Be moved

- B. Signs lawfully erected prior to the adoption of this Ordinance or applicable amendment thereto which do not meet the size limitations of this Chapter may be changed to another non-conforming sign, provided that the sign replacing the original non-conforming sign is at least 30% smaller in area than the original non-conforming sign.
- C. No sign shall be required to be removed that was erected in compliance with this Chapter if such sign becomes non-conforming due to a change occurring after the adoption of this Ordinance or applicable amendment thereto in the location of a building, streets, or other signs, and which change is beyond the control of the owner of the premises on which the sign is located, unless it is deemed by the Township's Zoning Administrator to be a safety hazard to motorists or pedestrians.
- D. If the owner of the premises on which the sign is located changes the use of the building (or site) or changes the location of any property line or sign so that any sign is rendered non-conforming, such sign must be removed or made to conform to this Chapter.
- E. Abandonment.